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10/674,496	10/01/2003	Akiko Onishi	00862.023332.	4228
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EXAMINER				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/674,496

Applicant(s)

ONISHI, AKIKO

Examiner

Peter K. Huntsinger

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2011.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,5,7,9,13,15-17,21,27 and 33-65 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1,4,5,7,9,13,15-17,21,27 and 33-65 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1, 4, 5, 7, 9, 13, 15-17, 21, 27 and 33-65 have been considered but are moot in view of the new ground(s) of rejection.

Response to Amendment

2. The applicant has not traversed the examiner's assertion of official notice for the assertions provided in claims 46, 51 and 56. Therefore, the common knowledge or well-known in the art statement is taken to be admitted prior art.

Claim Objections

3. Claims 1 are objected to because of the following informalities:

In claim 1, line 14 should be changed to "setting screen before a user sets the partial print attribute; and". Claim 7 and 13 requires similar corrections. In claim 33, line 2 should be changed to "partial setting screen including a plain paper based ~~the~~ entire print attribute". Claims 34 and 35 require similar corrections. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 63-65 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. Claims 63-65 recites the limitation "the third print attribute" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1, 4, 7, 9, 13, 16, 33-35, 45, 47-50, 52-55 and 57-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perry Patent No. 7,159,190.

Referring to **claim 1, 7 and 13**, Perry '190 discloses a printing control method executed in an information processing apparatus which has a printer driver to generate print data which a printing apparatus can process, said printing control method comprising:

a first displaying step of displaying an entire setting screen to set an entire print attribute to be applied to the entire print data (Fig. 5, col. 5, lines 20-30, print job properties can be created that will apply to the entire print job);

a changing step of changing a first print attribute which is an initial value of the entire setting screen displayed in the first displaying step for a second print attribute

(col. 5, lines 15-30, the print job level properties can be edited at the job level in step 4000 which apply to the entire print job);

a second displaying step of displaying a partial setting screen including (i) a first designation field to set a partial print attribute to be applied to a part of the entire print data (Figs. 6A-D, col. 7, lines 18-45, print job exceptions attributes window allows user to enter print job exception attributes such as stock type), (ii) a second designation field to designate a page as the part of the entire print data to which the partial print attribute is applied (Figs. 6A-D, col. 6, lines, 34-40, print job exceptions attribute window allows a user to specify a page range); and

a generating step of generating the print data based on the entire print attribute and the partial print attribute, (col. 2, lines 31-40, prints print job that includes print job level properties and print job exception attributes).

Perry '190 further discloses wherein a print attribute for the entire print data is displayed on the partial setting screen before a user sets the partial print attribute (Figs. 6A-D, col. 7, lines 18-45, print job exceptions attributes window allows user to enter print job exception attributes such as stock type), but does not disclose expressly wherein the partial setting screen displays the second print attribute for the entire print data that has been changed from an initial value.

At the time of the invention, it would have obvious to a person of ordinary skill in the art to display the current print attributes for the entire print data in the partial setting screen. The motivation for doing so would have been to avoid requiring that a user must manually reenter every print attribute even when a change for only one attribute is

desired. The system of Perry '190 includes at least multiple attributes associated with paper stock like size, color, type, weight, coating, finish grain, lightness, contrast, saturation, color cast, sides of the paper that will be printed, and image shifting on paper sides. Considering the number of print job attributes, it would be unreasonable to require a user to manually input each print job attribute whenever they make a print job exception. The time required for a user to manually input each print attribute would make the system of Perry '190 functionally inoperative. Therefore, it would have been obvious to modify the system of Perry '190 to obtain the invention as specified in claims 1, 7 and 13.

Referring to **claims 4, 9 and 60**, Perry '190 discloses a setting step of setting the entire print attribute including a type of sheet, print quality and color adjustment (col. 4, lines 22-33, properties for an entire print job include paper stock, printer output, and page color).

Referring to **claims 16, 61 and 62**, Perry '190 discloses when the partial print attribute is not set, print data to print a printed material is generated in which the entire print attribute is reflected in all pages of the print data, and

when the partial print attribute is set, print data to print a printed material is generated in which (i) both the entire print attribute and the partial print attribute are reflected in a designated page designated using the partial setting screen, and (ii) the entire print attribute is reflected in pages other than the designated page (col. 2, lines 31-40, prints print job that includes print job level properties and print job exception attributes).

Referring to **claims 33, 34 and 35**, Perry '190 discloses wherein the partial setting screen including a plain paper based entire print attribute is displayed in the second display step when the plain sheet is designated in the field to designate type of sheet of the entire setting screen (col. 7, lines 18-45, exception page template 317 of Fig. 6A displays paper stock type as plain)

Referring to **claims 45, 50 and 55**, Perry '190 discloses wherein the first designation field is a field for designating a type of sheet (col. 7, lines 18-45, In FIG. 6A, the stock tab 318 has been selected to better edit various attributes associated with paper stock like size, color, type, weight, coating, finish and grain).

Referring to **claims 47, 52 and 57**, Perry '190 discloses wherein the first designation field is a field for designating a print quality (col. 7, lines 18-45, In FIG. 6B, the image quality tab 320 has been selected to better edit various attributes associated with lightness, contrast, saturation and color cast).

Referring to **claims 48, 53 and 58**, Perry '190 discloses wherein the first designation field is a field for designating a color adjustment (col. 7, lines 18-45, In FIG. 6B, the image quality tab 320 has been selected to better edit various attributes associated with lightness, contrast, saturation and color cast).

Referring to **claims 49, 54 and 59**, Perry '190 discloses wherein the first designation field is a field for designating a gray scale (col. 7, lines 18-45, In FIG. 6B, the image quality tab 320 has been selected to better edit various attributes associated with lightness, contrast, saturation and color cast [FIG. 6B include a "Print As Grayscale" option]).

Referring to **claims 63, 64 and 65**, Perry '190 discloses a reception step of receiving through the partial setting screen an instruction for setting a partial print attribute to a page other than the designated page after a third print attribute has been set as the partial print attribute set to the designated page in the second designation field (Figs. 6A-D, col. 6, lines, 34-40, print job exceptions attribute window allows a user to specify a page range).

Perry '190 further discloses wherein a print attribute for the entire print data is displayed on the partial setting screen displayed before the partial print attribute to be set to the page other than the designated page is received from the user (Figs. 6A-D, col. 7, lines 18-45, print job exceptions attributes window allows user to enter print job exception attributes such as stock type), but does not disclose expressly wherein the partial setting screen displays the second print attribute for the entire print data that has been changed from an initial value.

At the time of the invention, it would have obvious to a person of ordinary skill in the art to display the current print attributes for the entire print data in the partial setting screen. The motivation for doing so would have been to avoid requiring that a user must manually reenter every print attribute even when a change for only one attribute is desired. The system of Perry '190 includes at least multiple attributes associated with paper stock like size, color, type, weight, coating, finish grain, lightness, contrast, saturation, color cast, sides of the paper that will be printed, and image shifting on paper sides. Considering the number of print job attributes, it would be unreasonable to require a user to manually input each print job attribute whenever they make a print job

exception. The time required for a user to manually input each print attribute would make the system of Perry '190 functionally inoperative. Therefore, it would have been obvious to modify the system of Perry '190 to obtain the invention as specified in claims 63, 64 and 65.

9. Claims 5, 17, 46, 51 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perry Patent No. 7,159,190 as applied to claim 1 above, and further in view of admitted prior art.

Referring to **claim 5**, Perry '190 discloses print data, but does not disclose expressly wherein the print data is bitmap data.

Official Notice is taken that it is well known and obvious to a person of ordinary skill in the art to output print data as a bitmap (See MPEP 2144.03). The motivation for doing so would have been to utilize a conventional print job format that does not require format conversion at the printer. Therefore, it would have been obvious to combine well known prior art with Perry '190 to obtain the invention as specified in claim 5.

Referring to **claim 17**, Perry '190 discloses the setting screen and the partial setting screen but does not disclose expressly wherein the screens are provided by the printer driver.

Official Notice is taken that it is well known and obvious to a person of ordinary skill in the art to provide a print user interface via a printer driver (See MPEP 2144.03). The motivation for doing so would have been to utilize the same program for customizing and formatting print data, thus reducing program conflicts. Therefore, it

would have been obvious to combine well known prior art with Perry '190 to obtain the invention as specified in claim 17.

Referring to **claims 45, 50 and 55**, Perry '190 discloses the first designation field, but does not disclose expressly wherein the first designation field is a field for designating a sheet feeding method.

Official Notice is taken that it is well known and obvious to a person of ordinary skill in the art to designate a sheet feeding method. The motivation for doing so would have been to allow a user to select an optimal source for feeding paper to the printer. Therefore, it would have been obvious to combine well known prior art with Perry '190 to obtain the invention as specified in claims 45, 50 and 55.

10. Claims 15, 21 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perry Patent No. 7,159,190 as applied to claims 1, 7 and 13 above, and further in view of Iwase Patent No. 6,724,492.

Referring to **claims 15, 21 and 27**, Perry '190 discloses wherein the partial setting screen is displayed in response to a designation inputted when one of the plurality of settings screens is displayed (col. 6, lines 34-40, user can create a new exception by using the "add exceptions" button).

Perry '190 does not disclose expressly wherein the setting screen has a plurality of tabs.

lwase '492 discloses the entire setting screen has a plurality of tabs (Fig. 19, col. 12, lines 41-53, menu has a sort, double-sided print, copy, density saturation, and color balance tabs).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to provide a setting screen with multiple tabs. The motivation for doing so would have been to provide the user with a multitude of print attributes conveniently organized within tabbed screens. Therefore, it would have been obvious to combine lwase '492 with Perry '190 to obtain the invention as specified in claims 15, 21 and 27.

11. Claims 36-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perry Patent No. 7,159,190 as applied to claims 1, 7 and 13 above, and further in view of Livingston Patent 6,621,590.

Referring to **claim 36, 39 and 42**, Perry '190 discloses designating a type of sheets on the entire setting screen, but does not disclose expressly wherein the setting of the setting screen is displayed on the first designation field as the initial value.

Livingston '590 discloses wherein print attributes designated for the print job are displayed as initial values of the partial print attributes (col. 6, lines 5-13, The user can change the print preview image 68 to correspond to a selected page) (col. 3, lines 35-55, The series of blocks show the user which pages have had the selected feature altered from a default setting and also show which pages of the document have had the selected feature set to the setting of the page corresponding to the print preview image) (col. 6, lines 51-55, User can select Paper Source from list of features).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to set initial exception print settings to the settings of the entire print job. The motivation for doing so would have been to allow the user to select printer options in a compact, organized and user-friendly fashion. Therefore, it would have been obvious to combine Livingston '590 with Perry '190 to obtain the invention as specified in claims 36, 39 and 42.

Referring to **claim 37, 40 and 43**, Perry '190 discloses designating a sheet feeding method on the entire setting screen, but does not disclose expressly wherein the setting of the setting screen is displayed on the first designation field as the initial value.

Livingston '590 discloses wherein print attributes designated for the print job are displayed as initial values of the partial print attributes (col. 6, lines 5-13, The user can change the print preview image 68 to correspond to a selected page) (col. 3, lines 35-55, The series of blocks show the user which pages have had the selected feature altered from a default setting and also show which pages of the document have had the selected feature set to the setting of the page corresponding to the print preview image) (col. 5, lines 18-26, User-selectable features include selection of an output bin).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to set initial exception print settings to the settings of the entire print job. The motivation for doing so would have been to allow the user to select printer options in a compact, organized and user-friendly fashion. Therefore, it would have been

obvious to combine Livingston '590 with Perry '190 to obtain the invention as specified in claims 37, 40 and 43.

Referring to **claim 38, 41 and 44**, Perry '190 discloses designating print attributes on the entire setting screen, but does not disclose expressly wherein the setting of the setting screen is displayed on the first designation field as the initial value.

Livingston '590 discloses wherein the print attribute of the print data designated for the print job are displayed as initial values of the partial print attributes (col. 6, lines 5-13, The user can change the print preview image 68 to correspond to a selected page) (col. 3, lines 35-55, The series of blocks show the user which pages have had the selected feature altered from a default setting and also show which pages of the document have had the selected feature set to the setting of the page corresponding to the print preview image).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to set initial exception print settings to the settings of the entire print job. The motivation for doing so would have been to allow the user to select printer options in a compact, organized and user-friendly fashion. Therefore, it would have been obvious to combine Livingston '590 with Perry '190 to obtain the invention as specified in claims 38, 41 and 44.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter K. Huntsinger whose telephone number is (571)272-7435. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571)-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Peter K. Huntsinger/
Examiner, Art Unit 2625

/Mark K Zimmerman/
Supervisory Patent Examiner, Art Unit 2625